As Witnessed in an Irish Court

By DENIS L. O'CONNELL

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THE opening of an assizes is the event of the season in any Irish city. All kinds and conditions of men flock to the court to hear the commission opened; some have been known not to miss seeing a judge take his seat on the bench in their city for twenty-five years and they boast of it. It is no idle curiosity that brings them there; it must be in the hope that they will see something new happen. But nothing new ever happens or will happen in an Irish assize court. The firm rules of the majesty of the law never change; if any touch of modernism were introduced, the very damp, grim, dusty walls of the courthouse would take it on themselves to collapse and crush the daring spirit who was rash enough to commit the sacrilege of departing one jot from the ritual of so many centuries.

My lord the judge drives to the court in his coach and pair; no justice has ever been known to be so reckless as to drive up in an automobile. Two retainers, paid at the rate of half a dollar a day and the leavings of the luncheon table, wearing tall hats trimmed with gold and two sizes too big, grand three-quarter coats bedecked here and there with red patches and gold buttons and braid, white cotton gloves and a long white pole (of which nobody knows the use unless it is to show the purity of the law) spring to open the door of his lordship's carriage. The regiment of soldiers at the other side of the street pull themselves together and stand as stiff as pokers ever were when the officer roars out a command in a voice as hoarse as if he had a bad cold and had been shouting himself into form to get hoarse for the occasion. The two staff men mount the steps leading to the hall before the judge, who stops half way up and turns and salutes the band-playing, bugle-blowing, stiff soldiers and hoarse officer, all in one gorgeous bow.

Beautifully slick and polished, clean shaven and a lovely smile, his lordship strikes you as too nice to be human. He is on a plane of his own which no ordinary mortal can attain. The smile is captivating, it is not pleasant; it is just solemn, in keeping with all the performance. He wears a grand fitting grey wig, with curls here and curls there and such a red gown that reaches down to his ankles that if you did not see the ends of his black trousers peeping from beneath you would imagine that he was Miss Pross or Mother Hubbard who had just escaped from the pages of the books in which they had been locked up by the hard cold print for so many years, out for a day's outing and making the most of it.

The judge, retainers and white staffs turn and disappear into his lordship's room and everybody rushes into court, tumbling and treading on each other's toes, pushing and being pushed. Everybody takes up the most inconvenient position for everybody else. The first fifty or so in crowd around the door and everybody coming in after has to fight his way through this lot. The corridors and passages are all crammed full before any single one thinks of taking a seat.

Then in come the members of the bar, gowns flying and wigs all crooked and astray. There is talking, whispering and nudging, saluting across the court, countrymen calling out to their friends to ask them how they are, questions about crops and the old grey horse, laughing and joking broken here and there with the tearful face of a mother, a wife or a child. Then in sweeps the senior crown prosecutor and a hush falls. Everybody tries to get a glimpse of him and there is such straining and peeping and ducking.

All unseen, all unheard, a black looking individual, more solemn than the judge, bar, clerk and court put together, slips into the witness chair and in a deep black voice calls out, "Silence," as the judge enters. The one word uttered gives all in the building a big idea of this man's importance. He is heavy jowled and wears a morning coat; the only speck of color is the white of his collar. He looks every bit as important as the judge and a good deal more so than any other official of the assize. He takes up a position in the court where no detail can escape his eye. Be introduced to the judge's crier. His duties are many and the pay not at all in keeping with the dignified appearance. He is the judge's valet, wipes the quill pens on the bench, is forever keeping order in court and a thousand and one other things. Judge's criers are a sect in themselves. They are not trained for their profession, they are born for it. They are not well paid but they are horribly respectable.

He orders the court judge and all to stand to hear the King's Commission being read. The clerk, monacled and in a voice which appears to be part and parcel of the parchment document with grand flourishes of writing and a seal the size of a moon, commences "Oyez, oyez all ye good and true men. King George V, by the grace of God, King of Great Britain and Ireland, Emperor of India and the Dominions beyond the Seas." He gets no further when the crier spots some objector who refuses to obey the order to stand up. The unruly one is called on to stand and refuses and is bundled out of court, pulled down steps and out between half a dozen constables into the passage outside, his cap being thrown after him. The clerk is off again but gets no further than King George when another sitter is discovered. He obeys the order to stand and another beginning, but down he flops when the clerk has got about a score of words out. Clerk again stops at crier's signal of man down for all the world given out in "a man overboard" voice. Police inspectors, with grand helmets, silk braid on their uniforms, polished patent leather straps and silver ornaments and swords three feet long which are all the time getting in between legs and tripping themselves or other people up, head the rush for the play boy. Out he goes, pulled, dragged and bundled, to keep company with the first objector in the passage.

The spectators are all in good humor by this time and the officials angry. The clerk starts again but the court is not yet cleared of objectors. There is more throwing out and the commission does not get a clear field until the thirteenth attempt. This is only a purely formal document giving power to "our right trusted and well beloved councillor Lord Justice—to hold this grand inquisition."

There are three jury panels—the grand jury, the common jury and the special jury. The grand jury's duties are purely formal and all they have to do is to sign their names to the indictments brought forward and to listen to lengthy speeches from the judge. The common jury tries all kinds of criminal offences such as assaults and robberies, etc. The special jurors are selected to try political offenses and are brought from the wealthy classes. In this way the Crown is assured of getting at least seventy-five per cent of the panel to be of a political opinion and the most that a political prisoner can hope for is a disagreement, but after two or three disagreements he may be found guilty on the next attempt, and he has to bring his prison period from the day of his conviction and the term that he spends awaiting trial all counts for nothing and so it is very much better to get the affair over at the first time and have done with it. That is why many political prisoners allow the Crown to have its own way, as the sooner the trial and conviction comes on the less one has to stay in jail.

PROMOTION in the Irish bar does not go by ability except in very rare cases. One of the leading attornies whose name is a household word in both England and Ireland still remains among the practitioners while men whose ability never qualified them for anything great have time and again been promoted up to judgeship. In order to be in the forefront of the legal profession in Ireland a man must be backed up by family and money. In the first place, before a young barrister can accept a brief it must be given to him by a solicitor—no man can accept a brief from a client direct. Of course a client can nominate a barrister but the option lies with the solicitor. Young barristers are thus placed in the position of currying favors from the solicitors in order to move from the briefless stage. Then again for the older men at the bar promotion to attorney-general and sergeant at law, which corresponds to the state attorney in America, comes not from ability but on the number of wires that can be pulled or the influence that can be brought to bear. Promotion from these ranks to a judgeship is a corresponding wire-pulling performance. Whenever one of those jobs falls vacant the scramble of place-hunters is terrific. It is a start at the end of Crawl Street and crawling and scraping, bowing and cringing all the way along to the crossing of Promotion Street. Of course sometimes the man of real ability wins his way to the forefront, but it is seldom that he wins on his real merits. Individuality and independence of character in all dealings are not things which count.

There are many men at the Irish bar who of course scorn to go in for jobbery. They get pleasure and enjoyment out of their practice as well as hard work. The barrister sees and hears the human side of nature as few other men do. He is brought into contact with the informer as well as the patriot, the poor and the rich. He hears their stories and their troubles. I know of one counsellor who could command $500 fee on every brief, who took up a case of two poor boys for next to nothing. They were on trial for their lives and for three days he fought their case, all because he knew their old mother. Never did a man throw so much energy into a case as he did, or with so much ability in cross-examination. He wound up with a four-hour address to the jury and sank back exhausted as the judge gave them the verdict sheet. He won a verdict of acquittal for the men in the dock.

The Irish witness is a tough customer to deal with. He has a ready wit and it is hard to shake him in his statements. Judge Bodkin tells us how a certain Sergeant Armstrong was appearing for a railway company in an action brought against them by an elderly cattle jobber. The plaintiff was being examined by his own counsel concerning the purchase of his ticket.

"Cut it short," the sergeant broke in impatiently, speaking out of his turn. Then to the witness: "You paid your money and got your ticket, my man, like anybody else?"

He quietly removed his spectacles and put them in his pocket; then slowly he wheeled round in his chair amid expectant silence to face the sergeant at the opposite side of the court.

"See here, me larned friend," he said. No wan was talking to you and there was no occasion for you to put in your gab. When your own time comes you can ax what questions you plaze, an' I'll answer them quick enough. But you'll be plazed to hould your tongue for the prisent."

He wheeled his chair round again and faced his own counsel.

"Never heed him, your honor," he said encouragingly; "go on as you were going."

Another witness was asked by the Crown attorney "Where were you when the prisoner hit you—at the top or bottom of the room?" Thinking there might be some catch, the witness promptly replied: "In both."

"And you say your father died intestate?"

"I did nothing of the sort," replied the witness. "He died in Ballyhea."

During the hearing of a charge of poteen making in a court in the West, the case reached a point where the issue depended on whether a sample of a certain liquor produced by the police was poteen or not. The jury retired to consider the evidence, taking the bottle with them. After some delay the jury returned with an empty bottle and a verdict of "Not Guilty." The judge sourly remarked that he thought the evidence against the accused was pretty strong. "So it is, my Lord," promptly responded the foreman, "but there isn't enough of it to satisfy the jury."

A barrister was addressing an elaborate and learned argument to a rather dull judge, to whom he was personally obnoxious. He was suddenly and rudely interrupted by the Bench with:

"I must confess, Mr. McDonagh, I do not in the slightest degree comprehend the force or point of your argument."

The reply came low and clear:

"I never expected that your Lordship *could*, but in order that the point might be made in the Court of Appeal, it was necessary that it should be mentioned before your Lordship."

The Legend of St. Winefride's Well

ANOTHER reported cure from the famous St. Winefride's Well at Holywell, England, leads the English Manchester Guardian to ask whether it will avail against the skepticism which has attended the supernatural claims made for the well. At least the legend of the well and its beginning is sufficiently startling to warrant almost any conjecture. The fair Winefride was loved twelve centuries ago and more by a very saintly man named Bueno. Unfortunately, however, her attractions had inflamed a less worthy person, by name Caradoc, who seems to have had his full share of "Celtic Fire." Certainly his methods were forceful, for when he found that his suit did not prosper and that the only desire of the lady was to escape from him, he pursued her and smote off her head with his sword. The head rolled to the bottom of the hill and where it stopped a well gushed forth. However, Winefride deserves no special pity for Bueno arrived at the critical moment and carried the head uphill again to the body, and "the parts instantly united, leaving only a slender white line around the neck." At the same moment the too passionate Caradoc fell down dead. The lady lived fifteen years longer, took the veil, and like most ladies of the romance of the period, became an abbess.

200 Varieties of Cheese

HOME-MADE cheese covers a large number of kinds. There are over 200 different kinds of cheese made throughout the world, many of them being little known outside the locality of their manufacture. England heads the list as regards the number of varieties. France comes next, and then Italy, Holland, Norway and Sweden, in the order stated. In England the cheeses are all made from cow's milk, and without any admixture, save in the case of "loaf" Cheddar, which is sometimes flavored with sage-leaves. Roquefort is made from sheep's milk, and Gruyere from goat's milk. Camembert is made in districts of France where the grass is so rich that it is possible to milk the cows three times a day. The Italians are also great experts in cheese-making, their best-known kinds being Gorgonzola and Parmesan. Parmesan cheeses take four years to mature, and are looked upon as investments by provident Italians, who store them away when new and sell them at high prices when matured.

Berlin's New Mayor

G. S., N. Y.

MAYOR SCHILZ

THIS young man has tackled a very large job. He is Mayor Schilz, who is going to rule in Berlin for a time. There are many problems left over from before-the-war conditions, and it is up to him to help solve them. He is a Social Democrat.

Berlin, the third largest city in Europe, with a population of over 2,000,000 people, had an annual budget of $75,000,000 and a city debt of $351,000,000.

The city owned most of its public utilities, even to abbatoirs, had built two large public ones at a cost of $2,000,000 to replace a thousand small ones scattered throughout the city.

Most of these utilities are revenue producers, which helps the mayor in his problems.